IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL (SR) NO : 4 of 2005

(Writ Appeal under Section 15 of the Letters Patent Act against the Order dated 01/04/2004 in WP NO. 6108 OF 2004 on the file of the High Court.)

Between:

The Ongole Municipality, Ongole, Prakasam District, represented by its Commissioner.

..... APPELLANT

AND

1. G. Arjuna Rao, s/o Subba Rao, Ex.Convict, R/o Miriyala Palem, Nr.Rama Temple, Ongole, Prakasam District.

2. The District Collector, Prakasam District, at Ongole.

3. The District Probation Officer and Secretary, District Prisoners Welfare Advisory Committee, Ongole, 2nd Floor, Prakasam Bhavan, Collectorate, Ongole, Prakasam District.

4. The Mandal Revenue Officer, Ongole Mandal, Ongole, Prakasam District.

.....RESPONDENTS

Counsel for the Appellant:MR.D.SRINIVAS

Counsel for the Respondent NO.1 : MR. SYED SHAREEF AHMED

Counsel for Respondent Nos.2 to 4 :GP FOR REVENUE

The Court made the following:

JUDGMENT: (per BRSR,J)

The impugned order does not suffer from any error requiring interference except slight modification in view of what is stated in the affidavit before us in this writ appeal.

The representation made by the respondent-writ petitioner shall be considered by the appellant-Municipality on its own merits and in accordance with law and not necessarily in the light of the recommendation made by the District Collector and District Probation Officer and Secretary, District Prisoners Welfare Advisory Committee. It would be suffice if the appellant considers the representation of the writ petitioner in accordance with law.

The order under appeal shall accordingly stand modified. The writ appeal is accordingly disposed of. No order as to costs.

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B.SUDERSHAN REDDY, J

Dated:13-12-2004

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C.V.RAMULU, J

PNB

To

1. The Commissioner, Ongole Municipality, Ongole, Prakasam District.

2. The District Collector, Prakasam District, at Ongole.

3. The District Probation Officer and Secretary, District Prisoners Welfare Advisory Committee, Ongole, 2nd Floor, Prakasam Bhavan, Collectorate, Ongole, Prakasam District.

4. The Mandal Revenue Officer, Ongole Mandal, Ongole, Prakasam District.

5. Two C.Cs. to the Government Pleader for Revenue, High Court of A.P., Hyderabad. (OUT)

6. Two C.D. copies.